

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC O'NEAL SOLIER,

Defendant.

Case No. CR05-391-RSM

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on July 16, 2010. The defendant appeared pursuant to warrant issued in this case. The United States was represented by Richard E. Cohen, and defendant was represented by James Vonasch. Also present was U.S. Probation Officer Joe Mendez. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on July 28, 2006 by the Honorable Ricardo S. Martinez for Conspiracy to Distribute Cocaine and Cocaine Base, a Schedule II Controlled Substance. He received 60 months detention and 5 years of supervised release.

PRESENTLY ALLEGED VIOLATIONS

In a petition dated July 2, 2010, U.S. Probation Officer Christopher S. Luscher alleged that

1 defendant violated the following conditions of supervised release:

2 1. Possessing and distributing a controlled substance, oxycontin, on or about June 30,
3 2010, in violation of the mandatory condition that he not commit another federal, state, or local
4 crime.

5 FINDINGS FOLLOWING EVIDENTIARY HEARING

6 Auburn police officer Jeffrey Crawford testified that on June 30, 2010 defendant sold
7 oxycontin to a confidential informant in a controlled buy. After the buy, defendant was arrested
8 and police found in his possession the marked US currency the police had used in the controlled
9 buy. Police also found additional oxycontin pills in the car defendant was driving at the time of
10 his arrest. Based on the testimony presented, the Court found the government had proven that
11 defendant had violation the alleged condition of supervision. Defendant was informed the matter
12 would be set for a disposition hearing on July 30, 2010 at 10:00 a.m. before District Judge
13 Ricardo S. Martinez.

14 RECOMMENDED FINDINGS AND CONCLUSIONS

15 Based upon the foregoing, I recommend the court find that defendant has violated the
16 conditions of his supervised release as alleged above, and conduct a disposition hearing.

17 DATED this 16th day of July, 2010.

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21 BRIAN A. TSUCHIDA
22 United States Magistrate Judge
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